



DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
COCOA REGULATORY OFFICE  
400 HIGH POINT DRIVE, SUITE 600  
COCOA, FLORIDA 32926

REPLY TO  
ATTENTION OF:

December 29, 2008

Regulatory Division  
Cocoa Permits Section

***PUBLIC NOTICE***  
***21 Day Comment Period***

**Permit Application No. SAJ-2005-10930 (SP-JSC)**

TO WHOM IT MAY CONCERN: This district has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344) as described below.

APPLICANT: Suburban Land Reserve Inc.  
c/o Mr. Brian Carrington  
5 Triad Center, Suite 325  
Salt Lake City, UT 84180

WATERWAY & LOCATION: The *ICP Road E* project is located within the ICP Development of Regional Impact in Orange County (Section 25, Township 23 South, Range 31 East), Florida.

DIRECTIONS TO SITE: From the Avalon Park Boulevard/Alafaya Trail intersection, proceed south on Innovation Way. The project area is located on the east side of the road at its current terminus.

LATITUDE & LONGITUDE:

Project: Latitude ... 28.45799 North  
Longitude... 81.16646 West

PROJECT PURPOSE:

Basic: The basic project purpose is road construction.

Overall: The overall project purpose is construction of a temporary connector road from Innovation Way to SR 528 in Orange County.

PROPOSED WORK: The applicant proposes to construct a 5,600 foot collector road with a 130-foot wide right-of-way to connect Innovation Way to SR 528 at the limited access ICP interchange. This road will provide SR 528 access until the new interchange is constructed. The proposed project will result in direct impacts to 1.8 acres of waters of the United States (wetlands).

AVOIDANCE AND MINIMIZATION INFORMATION: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment:

Impacts to wetlands could not be avoided but they are minimized by aligning the proposed road along an existing field road.

COMPENSATORY MITIGATION: The applicant has offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment:

Compensatory mitigation will be provided by a credit purchase from the TM-Econ Mitigation Bank.

EXISTING CONDITIONS: The project area is characterized as pine flatwoods with forested and wet prairie wetlands with little history of disturbance. The large forested wetlands is bisected by the proposed alignment and is dominated by a canopy of pond cypress, slash and pond pine, red maple, sweetbay and dahoon holly. The three wet prairie wetlands are dominated by sandweed and wiregrass.

ENDANGERED SPECIES: The Corps has determined that this project will have no affect on red-cockaded woodpecker (*Picoides borealis*) and will coordinate concurrence with the United States Fish and Wildlife Service (FWS). No impacts are anticipated for any other federally listed species. Therefore, no further review is being coordinated with the FWS. This determination is based on land use history and current site conditions, surrounding development, T&E survey information provided by the applicant, a review of 1995/1999 Digital Ortho Quarter Quads (Color Infra-Red), 2005 Florida Fish and Wildlife Conservation Commission Southern bald eagle (*Haliaeetus leucocephalus*) data, and lack of suitable foraging habitat for woodstork (*Mycteria americana*).

ESSENTIAL FISH HABITAT (EFH): This notice initiates consultation with the National Marine Fisheries Service on EFH as required by the Magnuson-Stevens Fishery Conservation and Management Act 1996. The proposal would not impact estuarine or marine habitat. Our initial determination is that the proposed

action would not have an adverse impact on EFH or federally managed fisheries in the downstream systems. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

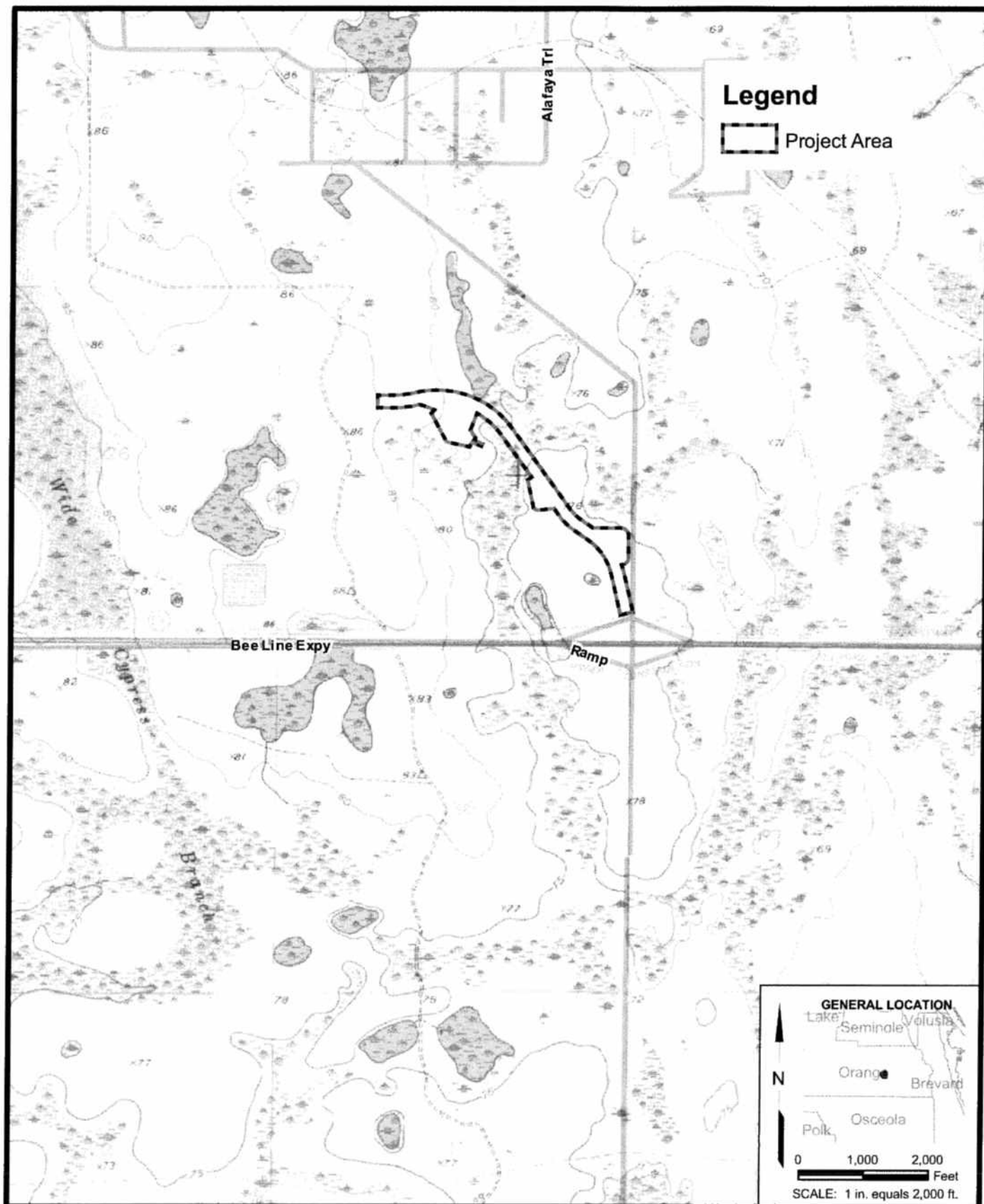
NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The jurisdictional line has been verified by Corps personnel.

AUTHORIZATION FROM OTHER AGENCIES: Water Quality Certification may be required from the Florida Department of Environmental Protection and/or one of the state Water Management Districts.

The decision whether to issue or deny this permit application will be based on the information received from this public notice and the evaluation of the probable impact to the associated wetlands. This is based on an analysis of the applicant's avoidance and minimization efforts for the project, as well as the compensatory mitigation proposed.

Comments regarding this application should be submitted in writing to the District Engineer, c/o Jeffrey S. Collins, within 21 days from the date of this notice:

Cocoa Regulatory Section  
400 High Point Drive, Suite 600  
Cocoa, Florida 32926  
Phone: 321-504-3771, ext. 13  
Email: Jeffrey.S.Collins@usace.army.mil



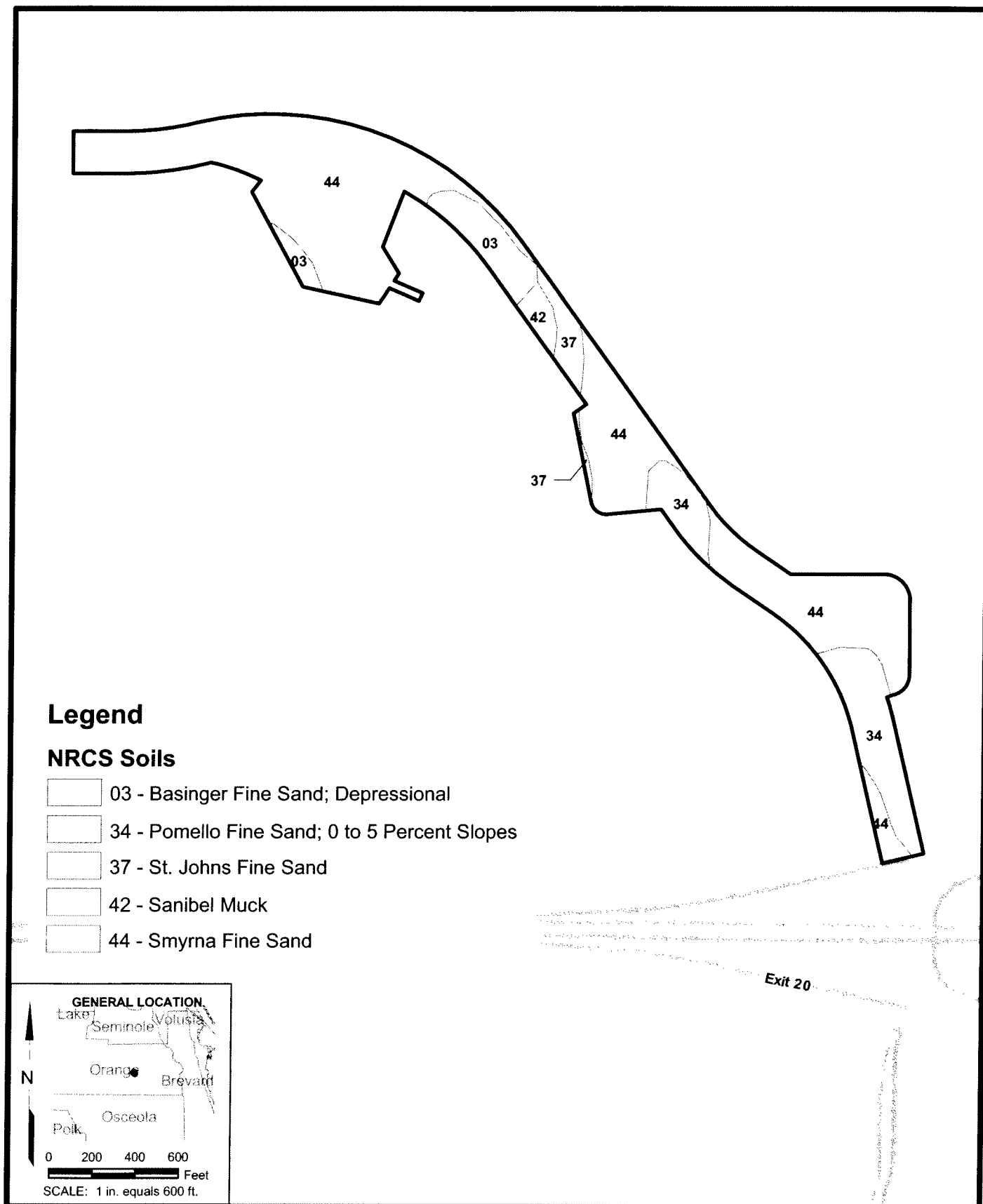
Source: USGS Narcoossee NW, FL. Sure!MAPS RASTER digital quads, ©1997. Project boundary approximated by BDA, 04-2008.

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& ASSOCIATES, INC.

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**FIGURE 1.0-1. LOCATION OF THE ROAD E PROJECT SITE, INTERNATIONAL CORPORATE PARK, ORANGE COUNTY, FLORIDA. (SECTION 25, TOWNSHIP 23 S., RANGE 31 E.)**



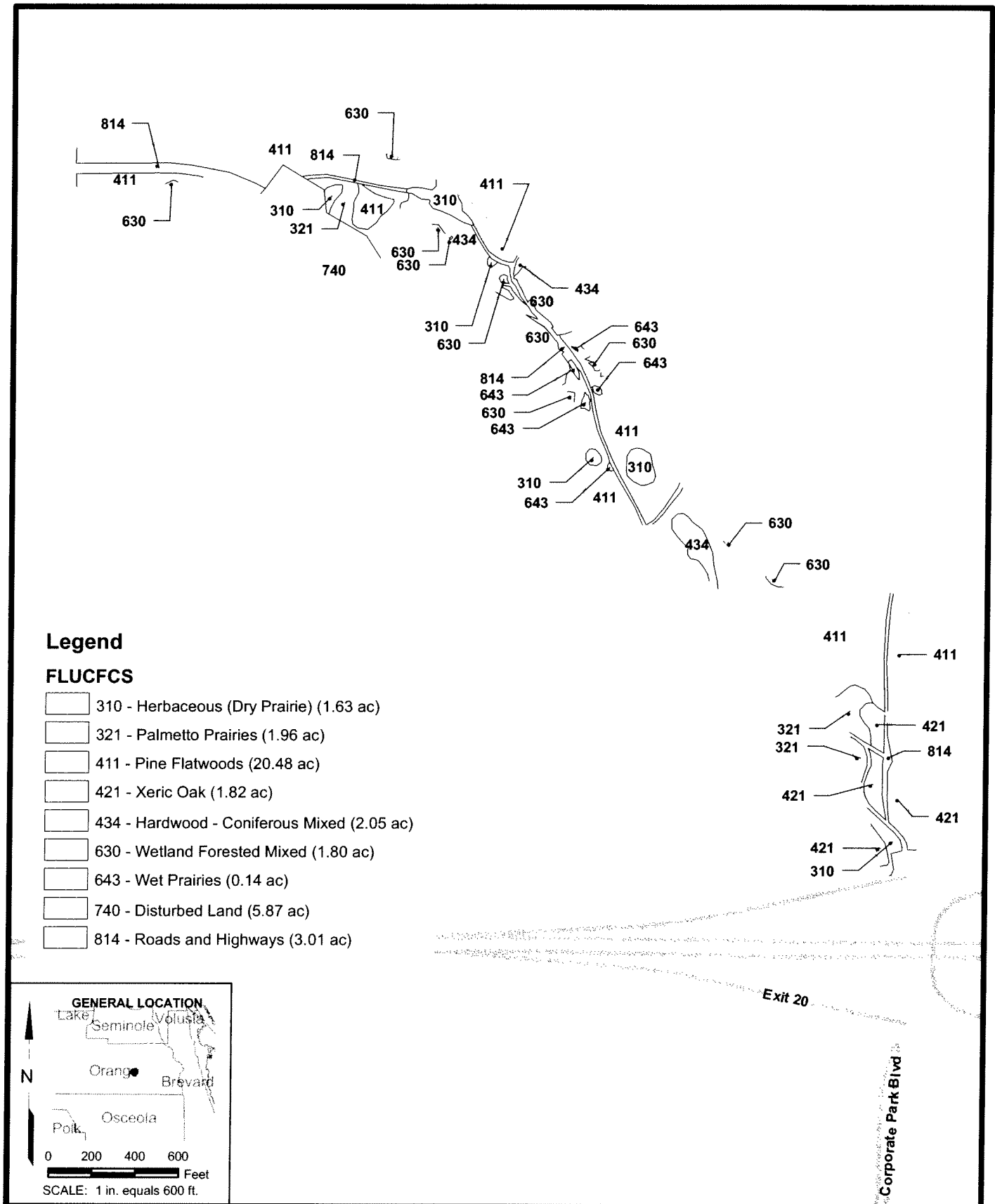
Source: Florida Geographic Data Library (FGDL), Version 3.0, July 2000; USDA NRCS; SSURGO data, 1995.

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**FIGURE 3.4-1. NATURAL RESOURCES CONSERVATION SERVICE SOILS MAP OF THE ROAD E PROJECT SITE, INTERNATIONAL CORPORATE PARK, ORANGE COUNTY, FLORIDA.**



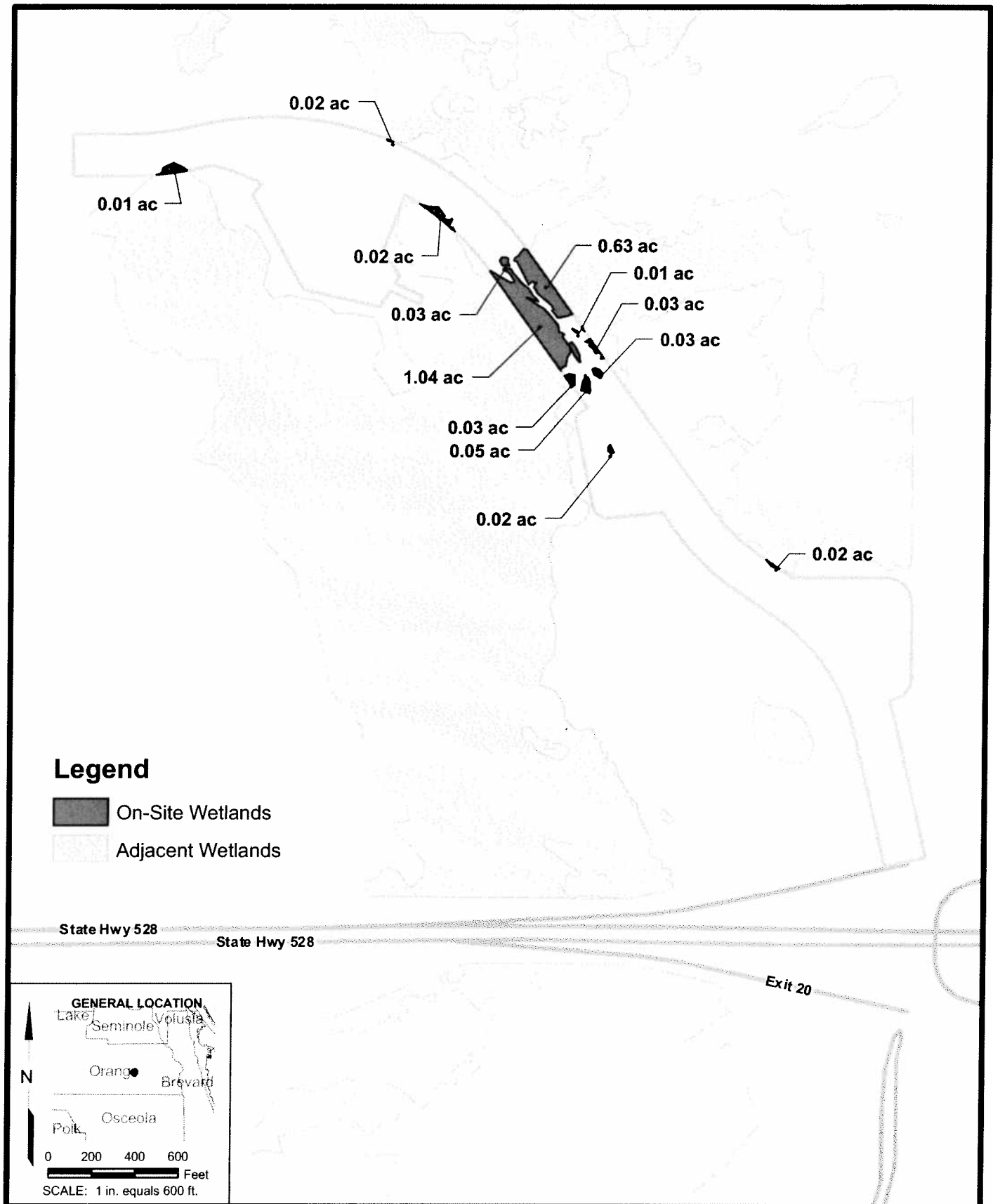
Source: Development plan provided by Donald W. McIntosh Associates, Inc., 2008-04-03.

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**FIGURE 3.1.2-1. FLORIDA LAND USE, COVER, AND FORMS CLASSIFICATION SYSTEM MAP OF THE ROAD E PROJECT SITE, INTERNATIONAL CORPORATE PARK, ORANGE COUNTY, FLORIDA.**



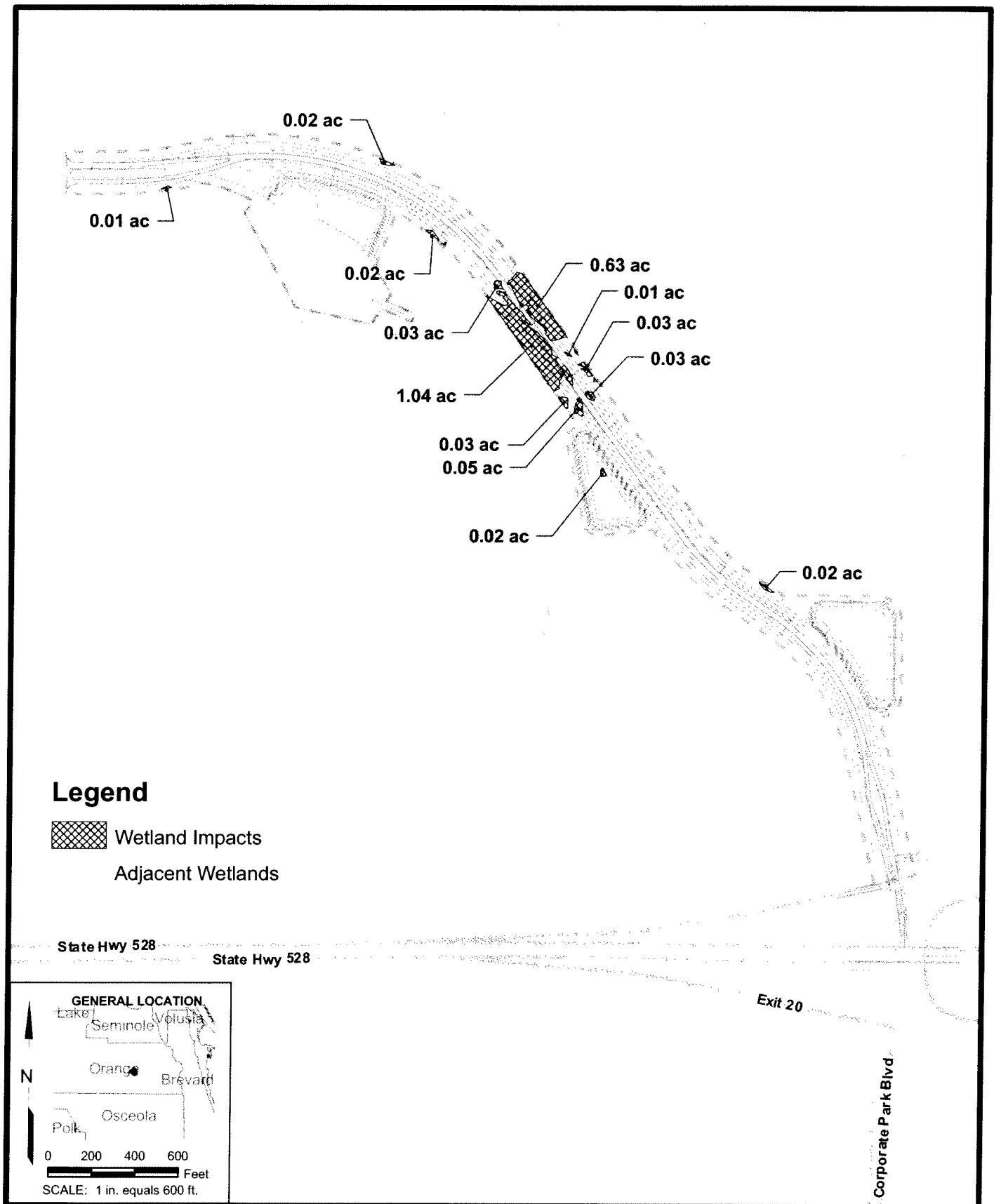
Source: Development plan provided by Donald W. McIntosh Associates, Inc., 2008-04-03.

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**FIGURE 1.0-2. DEPARTMENT OF THE ARMY, CORPS OF ENGINEERS POTENTIAL JURISDICTIONAL WETLANDS ON THE ROAD E PROJECT SITE, INTERNATIONAL CORPORATE PARK, ORANGE COUNTY, FLORIDA.**



Source: Development plan provided by Donald W. McIntosh Associates, Inc., 2008-04-03.

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**FIGURE 4.3-1. PROPOSED WETLAND IMPACTS ON THE ROAD E PROJECT SITE, INTERNATIONAL CORPORATE PARK, ORANGE COUNTY, FLORIDA.**